

**IOWA LUST ARRA PROJECT
RFP NO. 2009LUSTka01
QUESTIONS AND/OR REQUESTS FOR CLARIFICATIONS FROM VENDORS
AND
DNR ANSWERS**

DNR received many questions from vendors and some of the questions were repetitive. In fairness to all vendors, DNR listed all questions and answers by the date questions were received.

Submitted 8/7/2009

1. What analytical methodology is required to be utilized for 1,2 dibromoethane and 1,2 dichloroethane (soil and groundwater)? What are the required reporting limits for these parameters (soil and groundwater)? Have potential screening levels been established for these parameters? If so, what are the screening levels? **DNR Answer: Analytical methodologies and reporting (detection) limits are shown below.**

<u>Parameter</u>	<u>Matrix</u>	<u>Method*</u>	<u>Reporting/Detection Limits</u>
EDB	Soil	8260	10 ug/kg
EDB	Groundwater	524.2 or 624	5 ug/L
EDB	Drinking Water**	504.1	0.02 ug/L
1,2-DCA	Soil	8260	25 ug/kg
1,2-DCA	Groundwater	524.2 or 624	5 ug/L
1,2-DCA	Drinking Water**	524.2	0.5 ug/L

***The contractor may use an alternative analytical method as long as the method is capable of meeting designated reporting/detection limit.**

**** Drinking water includes plastic water line samples and samples from drinking water wells or other drinking water sources.**

Screening levels have not been established for these parameters under the Iowa Underground Storage Tank program, however, “statewide standards” have been developed for soil and groundwater under Iowa’s Land Recycling Program. See <https://programs.iowadnr.gov/riskcalc/pages/standards.aspx>

2. Is there a specified font or font size that is to be used for the proposal and attachments? **DNR Answer: No. There is no specified font type or font size specified in the RFP. However, DNR suggests a minimum font size of 10 or greater.**

Should the recovery.gov logo appear on proposal pages? DNR Answer: The RFP does not specify that the recovery.gov logo appear on the proposal. DNR will accept proposals with or without the recovery.gov logo.

3. Attachment 6 – Cost Proposal Format , Task 3 - UST Closure does not include costs for the following:

- excavation backfill, compaction, and grading
- surface replacement/restoration
- piping closure
- UST fill in place – concrete

Should these costs be added to the cost list? **DNR Answer: Please see the note at the end of the UST Closure cost proposal section. Expenses necessary to complete the UST Closure activity, which are not described in the preceding list, can be detailed in this section. Due to federal requirements, tank removal activities performed under the Iowa LUST ARRA project must be a necessary part of the overall site corrective action activities. DNR does not anticipate paying for surface restoration (pavement, asphalt, concrete, etc.) beyond gravel cover for excavations and tank removals under the Iowa LUST ARRA Project.**

4. Attachment 6 – Task 4 – Tier 1 Site Assessment does not include costs for hydraulic conductivity testing. Should these costs be added to the cost list? **DNR Answer: Please see note at the end of the Tier 1 cost proposal section. Expenses necessary to complete the activity, which are not described in the preceding list, can be detailed in this section.**

5. Attachment 6 – Task 5 – Tier 2 Assessment does not include costs for mobilization/demobilization and hydraulic conductivity testing. Should these costs be added to the cost list? **DNR Answer: Please see note at the end of the Tier 2 cost proposal section. Expenses necessary to complete the activity, which are not described in the preceding list, can be detailed in this section.**

6. Attachment 6 – Task 6 – Corrective Action

- Excavation and disposal of soil (expedited corrective action) – costs for mobilization/demobilization not included. Add costs to the list?
- Excavation and disposal of soil - costs for backfill are not included.

DNR Answer: Please see note at the end of the expedited corrective action cost proposal section. Expenses necessary to complete the activity, which are not described in the preceding list, can be detailed in this section.

7. Attachment 6 – Task 6 – Corrective Action Activities

- Pilot Test Costs – depends on the type of pilot test and whether or not wells on-site can be utilized or if 4” recovery wells or other wells would need to be installed to conduct the test.
- Extraction/Sparge/Vertical Wells – should we assume 25’ depth? Vacuum Blowers/Pumps – the blower size, work capacity/vacuum, type, etc. all depend on the specifications of the proposed system installation and costs for the various blowers and pumps would vary based system specifications.
- Instrumentation/Controls – dependent upon the system specifications
- Operational/Maintenance Costs – dependent upon system specifications, monitoring requirements and site location (mobilization).

DNR Answer: For Extraction/Sparge/Vertical Wells, you may assume a 25' depth, the same as with the monitoring well section. Additional details, such as costs for additional footage, different well casing sizes, etc. can be provided in the cost breakdown at the end of the section.

With regards to the other parts of your question, the DNR recognizes that each particular project site is unique and will require site-specific planning for pilot testing, system design/components, operation and maintenance. The cost proposal sections in the RFP are intended to provide a unit price for these typical types of corrective action activities and equipment. Your firm should consider their experience with these corrective action activities and equipment when preparing the cost proposal section. Additional details, such as costs for mobilization, can be provided in the cost breakdown at the end of the section.

It is important to note according to the Contract Special Conditions, the cost proposals submitted by the bidding contractors will become the basis for the specific costs under the contract. In other words, the cost proposal submitted by the contractor with his proposal will become the actual unit of prices and part of the contract (Exhibit C) after the contract is signed.

If after the contract is signed, the contractor encounters a situation in which the site-specific budget for a particular item or activity is different (higher for example) than what the contractor has listed as a unit cost in his cost proposal, then the contractor should submit a change order with his site-specific budget and provide justification of why his unit costs have increased. DNR will review and approve/disapprove the change order. Please reference RFP Attachment 2 Contract Special Conditions, page 11, 5.6 Amendments to Statement of Work – Change Order Procedure, which states: “Modifications, deletions and additions may be made to a Statement of Work at any time during the term of this Contract by mutual written consent of the parties.”

8. Attachment 6 – Task 7 – Site Monitoring Report – add mileage line to SMR and Free Product Recovery. Too difficult to determine a fixed value if projects are statewide. If per site value is used the costs will likely be greater in order to cover all possible locations. **DNR Answer:** Please see note at the end of the Site Monitoring Report and Free Product Recovery cost proposal sections. Expenses necessary to complete the activity, which are not described in the preceding list, can be detailed in this section.
9. All projects which are funded by the ARRA should display signage in a manner that informs the public that the project is an ARRA investment throughout all phases of the project. The sign shall feature the ARRA Primary Emblem. Are we to provide signs?
DNR Answer: Yes. On page 29 of RFP Attachment 2, “Contract Special Conditions”, under item B.8 Project Sign Under the American Recovery and

Reinvestment Act of 2009, it states: “It shall be the responsibility of the contractor to supply the project sign.”

The Recovery Emblem Guidance can be found at:

http://www.epa.gov/ogd/forms/Recovery_emblem_guide_v1%5B1%5D.pdf

A downloadable, high-resolution version of the Recovery Emblem is available at:

www.recovery.gov/=q+node/203

Contractors may add the cost of the ARRA Project Sign to Task 1: Develop Site Specific Plans for LUST Cleanup Activities/Site Safety at the end of the cost proposal section. General activity expenses can be detailed in this section.

Submitted 8/10/09

10. Chapter 2, Section 2.3, page 20

“DNR shall have the sole option to renew and extend this Contract for subsequent periods, adding up to no more than 6 years total”

Question: What is the initial length of the Contract and what is the length of the subsequent periods of renewal? **DNR Answer: The initial length of the Contract will be negotiated with the winning contractor(s). State law prohibits any contract to exceed a total of six years.**

11. Chapter 3, Section 3.0.3, Task 1, page 22

“The vendor firm shall be responsible for obtaining a GPS location of each project site”

Question: What accuracy is required for the GPS location? **DNR Answer: For the purposes of this proposal, the vendor should assume the GPS location of the site should be accurate to 25 meters or less and may be obtained either using a hand held GPS unit or from an air photo.**

12. Chapter 4, Section 4.2.4, page 29

“...vendor is advised to submit any information which documents successful and reliable experience”

Question: Does UST Section maintain a database on each CGP as to the number of projects managed and report by category accepted by DNR during initial review? If so, will this information be available for review? **DNR Answer: DNR will not be supplying this information to vendors. DNR is relying on each vendor to supply the appropriate information regarding their report acceptance data to DNR in the proposal. The DNR does keep a confidential database with CGP information which DNR can use for comparison.**

13. Chapter 1, Section 1.1, page 4 and Chapter 3, Section 3.0.2, page 21

“DNR intends to award four contracts” and later in Section 3.0.2 “At least four vendors will be selected for the Iowa LUST ARRA Project”

Question: How many contracts will the DNR award? **Answer: DNR intends to award four contracts, however, the actual number of contracts to be awarded will depend on the number and quality of proposals received by DNR.**

14. Chapter 1, Section 1.4, page 5

States schedule for response to RFP

Question: What is the anticipated schedule for contract awards and initial project assignments?

Answer: DNR anticipates executing contracts approximately October 2009. Initial project assignments will be completed shortly after the execution of contracts.

15. Chapter 4, Section 4.5.4, page 35

“...there is no firm timeline for completing the evaluation”

Question: What will DNR require of the vendors if the evaluation of the proposals exceeds the 120 days that vendors are to hold their proposals firm and irrevocable?

Answer: DNR does not anticipate that evaluation of proposals will exceed the 120 day period. DNR anticipates that evaluation of proposals will take no longer than two weeks.

16. Chapter 3, Section 3.0.3, Task 9, page 26

“...vendor will be required to submit status reports to DNR on the first day of each month during the contract”

Question: Will a vendor be required to submit a status report if no projects have been assigned to that vendor as required in Task 9? **Answer: Yes. Even if projects have not been assigned to the contractor, the contractor shall submit a monthly status report and indicate such on the report.**

17. Task 3, Page 24

Task 4, Page 24

Task 5, Page 24

Task 7, Page 25

“...analyze for chemicals of concern as specified in Chapter 135, IAC and also the following oxygenates: MTBE, ethylene dibromide (EDB), and 1, 2-dichloroethane (1, 2-DCA)”

Question: In what format are vendors required to submit the analytical results for the above listed oxygenates in the UST Closure, Tier 1, Tier 2 and Site Monitoring reports?

DNR Answer: DNR intends to develop a table format that DNR will share with the winning vendors.

18. Task 3, Pages 23 and 24, 48

Task 4, Pages 24 and 50

Task 5, Pages 25 and 51

“.....ship samples to an Iowa certified laboratory within 72 hours of collection and instruct the laboratory to analyze for chemicals of concern as specified in Chapter 135, IAC and also the following oxygenates: MTBE, ethylene dibromide (EDB), and 1, 2-dichloroethane (1, 2-DCA)”

Question: What quantitation level is required for the reporting of laboratory results for EDB and 1,2-DCA for water and soil samples? The answer to this question could affect how the analyses for these two compounds would be performed, and therefore the cost. For example, if the required quantitation levels can be achieved with the GCMS version of Iowa OA-1 (SW-846 Method 8260), the cost would tend to be less than setting quantitation levels or regulatory action levels that would require a separate method for EDB (e.g., Method 8011) or 1,2-DCA. **DNR Answer: See DNR Answer to question No. 1.**

19. Task 6, Pages 25 and 53

“Lab analysis shall include chemicals of concern as specified in Chapter 135, IAC and also the following oxygenates: MTBE, ethylene dibromide (EDB), and 1, 2-dichloroethane (1, 2-DCA).”

Question: What are the concentrations of EDB and 1,2-DCA in water and soil requiring corrective action on the UST sites included in this RFP? **DNR Answer: If concentrations for either chemical (EDB or 1,2-DCA) exceed an MCL in a drinking water sample or exceed a statewide standard in a soil or a groundwater sample the DNR may require further site activities up to and including corrective action.**

20. Task 7, Pages 26 and 56

“Complete site monitoring activities when appropriate in accordance with Chapter 567--135.8.”

“Conduct sample analyses and submit a Site Monitoring Report. Lab analysis shall include chemicals of concern as specified in Chapter 135, IAC and also the following oxygenates: MTBE, ethylene dibromide (EDB), and 1, 2-dichloroethane (1, 2-DCA).”

Question: What are the laboratory quantitation levels for EDB and 1,2-DCA in water that will be required for site monitoring on the UST sites included in this RFP? **DNR Answer: See DNR Answer to question No. 1.**

21. 9.) Soil Gas Costs, Pages 33 and 34

“Includes all technical and supervisory staff and equipment and laboratory analysis necessary to properly obtain, evaluate and document soil gas levels followed by confirmation sampling at specific locations, including QA/QC, and shipping costs on a per sample basis. “

Questions: What soil gas compounds will be required for sites in this RFP, and what concentration limits or action levels will be applicable? For example, will Benzene and Toluene be the only compounds required for soil gas analysis, or will other compounds be added, such as the oxygenates EDB and 1,2-DCA? What analytical methods will be required for measuring soil gas (for example, NIOSH 1501, or TO-15 with SUMMA canisters?) **DNR Answer: Soil gas sampling and analysis completed under the Iowa LUST ARRA project should be performed in accordance with IAC Chapter 135 and associated DNR guidance. The soil gas samples must be analyzed for benzene and**

toluene. The applicable soil gas target levels for these compounds will be the same as those listed in IAC Chapter 135.10 (7). Soil gas samples must be collected and analyzed using NIOSH Method 1501 or a department–approved equivalent.

Submitted 8/11/2009)

22. The RFP does not have published Davis-Bacon wage rates. Based on our experience, Davis-Bacon wages to serve as bidding process are typically provided by contracting officer. Since Davis-Bacon wage rates vary based on county, has IDNR established a standard county to be used as basis for Davis-Bacon wage compliance? e.g. Polk and Scott counties have the highest Davis-Bacon wage requirements. **DNR Answer: For the purposes of creating and submitting a cost proposal in response to this RFP, please use the following Davis-Bacon wage rates at:** <http://www.wdol.gov/wdol/scafiles/davisbacon/IA1.dvb> **Please use the prevailing wage by combining the hourly wage rate and fringe price in Zone 5 only.** After contracts are signed, applicable Davis-Bacon wage rates will be determined by DNR and EPA based on site location.

23. For the bidding process under Davis-Bacon wage requirements, are Project Managers (PM) and Certified Groundwater Professionals (CGP) considered "Exempt Employees" or are they subject to Davis-Bacon wage requirements. Is so, we will need wage requirements for PMs and CGPs **DNR Answer: Under section 13(a)(1) of the FLSA (Fair Labor Standards Act of 1938, as amended), persons employed in a bona fide executive, administrative or professional capacity are exempt from that law's minimum wage and overtime requirements. The rules that apply to determining whether the exemption applies are spelled out in the Code of Federal Regulations (CFR) at 29 CFR Part 541, which defines the terms "any employee employed in a bona fide executive administrative or professional capacity". In order to determine if your project managers and certified groundwater professionals are considered exempt, please read the rules Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Computer and Outside Sales Employees which can be found at http://www.dol.gov/dol/allcfr/ESA/Title_29/Part_541/toc.htm**

Employees who are exempt from the FLSA are not covered by the Davis-Bacon Act and Service Contract Act. Please reference the U.S. Department of Labor, Prevailing Wage Resource Book. The Prevailing Wage Resource Book can be accessed at: <http://www.wdol.gov/docs/WRB2002.pdf>

24. Since the project is governed by Davis-Bacon wages, will the contractor be required to submit "Certified Payrolls" in accordance with Dept. of Labor requirements? **DNR Answer: Yes. Please reference, RFP Attachment 2, Contract Special Conditions, (3) Payrolls and basic records, page 25. It states, "The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the DNR who will maintain the records on behalf of EPA." Also reference the Prevailing Wage Resource Book.**

25. Can you provide information related to Fringe benefit payment requirements under Davis-Bacon wage law? **DNR Answer: You may find information regarding Davis-Bacon fringe benefits by accessing the Prevailing Wage Resource Book. Additional information regarding Davis-Bacon requirements can be found at <http://www.dol.gov/esa/whd/recovery/>**
26. Are Subcontractors and/or suppliers subject to Davis-Bacon wage requirements as well? **DNR Answer: On pages 21 and 22 of RFP Attachment 2, Contract Special Conditions, it states: "...all the laborers and mechanics employed by the Contractor and its subcontractors will be covered by the DB requirements for all construction work performed on the site." Suppliers are not subject to Davis-Bacon wage requirements.**
27. Is Analytical Laboratory considered a Supplier or Subcontractor? **DNR Answer: It is incumbent upon each vendor to determine their relationship as it relates to subcontractor or supplier.**
28. Are there any submittal requirements for material to be used under this contract?
Clarification: This question refers to pipes, bentonite, sand etc, that will be needed for this project. Federal agencies require preapproval of material to be used on their projects via submittal process. Each agency requirements vary ranging from submittal of MSDS or spec sheets to submittal of actual samples. Since the current project is being funded by EPA, we wanted to determine the submittal requirements. **DNR Answer: Regarding federal approval of materials, please note the Buy American clause applies to the following situations: install piping to connect households or businesses to public water systems or replace public water system supply well(s) and associated piping due to groundwater contamination, or for construction related activities associated with site restoration, including paving or concrete replacement.**
- Regarding the other material examples you provided, if not used for activities covered under Buy American, they would not require federal approval. However, the materials may require DNR approval.**
29. Is the proposed contract considered a "Construction Contract" or "Service Contract"?
Clarification: This refers to bonding requirements, retainage, and subcontracting limitations. These requirements vary based on whether the contract is deemed a service contract or a construction contract. We were seeking clarification of these issues: **DNR Answer: Based upon 40 CFR 31.36, this contract is considered to be a combined service and construction contract.**
30. Will SF1413 be required of all subcontractors and/or suppliers? **DNR Answer: Assuming SF1413 is referring to the following GSA form located at http://www.srs.gov/general/busiops/PMMD/PDFs/SF_1413.pdf , the answer is no, this form is not required under the RFP.**

31. Are there any bonding requirements and/or Liquidated Damage Provisions? **DNR Answer:** A bid bond of five percent of the contract price (\$625,000) is required to be submitted with the proposal. If the bid bond is not submitted, the proposal will be rejected from competition. (Please reference RFP, 1.5.6 Proposal Firm and Irrevocable on page 8; RFP, 1.6.1 Rejection of Bid proposals on page 15, and RFP, 5.0 Determination of Responsiveness, page 36.)

A Performance Bond on the part of the contractor for 100 percent of the contract price (\$625,000) will be executed in connection with the contract. (Please reference RFP Attachment 3, Contract General Conditions, pages 19, 20, 21.)

A Payment Bond on the part of the contractor for 100 percent of the contract price (\$625,000) will be executed in connection with the contract. (Please reference RFP Attachment 3, Contract General Conditions, pages 19, 22, 23.)

Liquidated Damages. Reference RFP, Chapter 3, Scope of Work, Task 8: Schedules, page 26. It states: "Liquidated damages of \$250 per day shall be assessed beyond the original or extended deadline until all tasks are completed." Also reference RFP Attachment 2 Contract Special Conditions, Task 8: Schedules, page 8 and 9, "Should the DNR determine good faith efforts were not used, liquidated damages of \$250 for each day after 180 days to complete all closures shall be imposed. The liquidated damages approximate the reasonable amount of damages to the Iowa LUST ARRA Project anticipated by the DNR for delays in not completing the required work on time."

Submitted 8/11/09:

32. Section 1.5.6: What is the purpose of the bid bond in this case? **DNR Answer:** A bid bond is issued as part of a bidding process by the Surety to the project owner (DNR), to guarantee that the winning bidder will undertake the contract under the terms at which they bid. The cash deposit is subject to full or partial forfeiture if the winning contractor fails to either execute the contract or provide the required Performance and Payment Bonds. The bid bond assures and guarantees that should the bidder be successful, the bidder will execute the contract and provide the required surety bonds. The bid bond is required in order to protect federal and DNR interests. The Iowa LUST ARRA Project is funded through a federal EPA grant administered through the EPA LUST Trust Fund. EPA administrative rules and existing LUST Trust Fund policy require a five percent bid bond.
- a. Can the bond requirement be stricken? **DNR Answer:** No. Please note that if DNR receives a proposal without a bid bond, the proposal will be determined unresponsive and will be rejected from competition. (Reference RFP, page 15, 1.6.1 Rejection of Bid Proposals, "The DNR shall reject outright and shall not evaluate proposal for any one of the following reasons: The vendor fails to include a bid bond." Also reference RFP, page 36, 5.0 Determination of Responsiveness, "Generally, a proposal is considered responsive unless the

- proposal . . . (6) fails to comply with the bid bond requirement for five percent of the bid.”) In lieu of a bid bond, DNR will accept a certified check or other negotiable instrument accompanying a bid proposal as assurance that the vendor will, upon acceptance of his bid proposal, execute such contractual documents as may be required within the time specified.**
- b. Is the amount to be covered by the bond 5% of the \$625,000 quoted in the RFP document? **DNR Answer: Yes.**
 - c. Or is the bond amount based on the sum of the 9 tasks? **DNR Answer: No.**
 - d. If a performance and payment bond is required, is it possible to bond each contract portion individually instead of the total? **DNR Answer: A separate Performance Bond and a separate Payment Bond are required. Each bond should be for 100 percent of the total contract price of \$625,000. Please see RFP Attachment 3, Contract General Conditions, pages 19-23.**
 - e. For cost estimation purposes what does Iowa DNR want us to use as the base dollar amount of the contract? **DNR Answer: Use \$625,000 for the amount of the contract.**
33. Section 1.5.12: This section states no minimum guaranteed; with that the case, what amount should bonds be for? **DNR Answer: Bonds should be based on an amount of \$625,000. Please see answer for question No. 32.**
34. Section 1.5.15: Is the “Fair Share” percentage a percentage of subcontracts, subcontracted dollar amount, or total contract dollar amount, insofar as it is known at the time of contract signing? **DNR Answer: This is a DNR goal negotiated with EPA at the time of grant award and DNR is passing that goal onto the contractors. It covers the total amount of the contract(s). It is a goal that may or may not be met by contractors and DNR. However, funding is not contingent upon meeting the goal. Please keep in mind this is a goal and not a quota.**
35. Section 3.0.2: this section indicates that the Department intends to select at least four vendors. If the intent is to select more, what amounts should the bid, performance, and payment bonds be based on? **DNR Answer: DNR intends to select four vendors. Bid, Performance and Payment Bonds should be based on one contract of \$625,000.**
36. Section 3.0.3, Task 3: Regarding the oxygenate lab analysis:
- a. What are the reporting levels desired? **DNR Answer: For MTBE, see current rules and guidance. For 1,2 DCA and EDB see answer to question No. 1.**
 - b. Where or how would DNR like the data reported? **DNR Answer: For MTBE see current rules and guidance. The DNR intends to develop a spreadsheet/tabular format for 1,2 DCA and EDB reporting, which we will share with winning vendors.**
 - c. What lab method is requested (8260 by GC/MS?) **DNR Answer: For MTBE see current rules and guidance. For 1,2 DCA and EDB see answer to question No. 1.**
 - d. Is the selected vendor to do anything other than collect the samples and provide lab reports? **DNR Answer: The vendor will be expected to provide the data in a spreadsheet/tabular format (see above) in addition to collecting the samples and**

providing the lab reports. DNR may request further site activities up to and including corrective action based on the results.

37. Section 4.2.2: Please clarify. Is the DNR requesting our QA procedure, or a procedure we recommend DNR use to evaluate whether tasks proposed have been adequately performed for payment authorization? **DNR Answer: Section 4.2.2 pertains to the vendor providing a recommended procedure the DNR can use to evaluate whether tasks proposed have been adequately performed for payment authorization, and to evaluate whether the work conducted/deliverables are in compliance with the applicable guidance and rules.**
38. Section 4.2.3: Is training a task for this RFP? **DNR Answer: No, not applicable.**
39. Sections 4.2.4 and 4.3: Experience and Reliability section asks for cost of projects completed of similar nature to this scope of services; section 4.3 states costs shall only appear in the cost document. Is it OK to state costs in the technical proposal as requested on page 30? **DNR Answer: Yes, include the total contract price for projects of a similar nature as requested in 4.2.4 Experience and Reliability of Personnel Responsible for the Project, page 30.**
40. Section 4.3A, page 33, #5: Contaminated backfill disposal is requested to be priced on a cubic yard basis.
- a. Is that in-place cubic yards or bulked? **DNR Answer: In-place.**
 - b. Can this be priced per ton, in conjunction with the way landfills charge per ton?
DNR Answer: No, provide the unit cost on a per cubic yard basis.
41. Section 4.3A, page 33, #7: Will every monitoring well be tested for hydraulic conductivity?
- a. Should the cost for this task be separated out from monitoring well installation? **DNR Answer: Not every well will be tested for hydraulic conductivity. Hydraulic conductivity testing should be performed as appropriate and necessary for the site activity being conducted and may be performed at wells installed for this project or at pre-existing site monitoring wells. You may provide a separate cost description for hydraulic conductivity testing in the additional details for services and costs in section at the end of the Task 4 (Tier 1) and/or Task 5 (Tier 2) sections. See answer to question No. 5.**
42. Section 4.3c, page 34: Is this statement meant to read that DNR will authorize change order requests from the vendor? **DNR Answer: Yes. Please reference RFP Attachment 2, Contract Special Conditions, page 11, 5.6 Amendments to Statement of Work – Change Order Procedure, “Modifications, deletions and additions may be made to a Statement of Work at any time during the term of this Contract by mutual written consent of the parties.”**

43. Section 4.4.1: Are the three to five detailed project descriptions mentioned here in addition to those requested on page 30 under the Experience and Reliability section?
DNR Answer: No. Three to five detailed project descriptions per proposal is all that is required.
44. Att 2, Section 7.9 Payment of Invoices: What is the intended timeframe for review and processing of invoices? **DNR Answer: The state of Iowa must pay invoices within 60 days after receipt for work that has been satisfactorily completed and delivered.**
45. On p. 8 of RFP Attachment 2, under Task 6 Receptor Removal and Replacement, the RFP indicates removal of plastic water lines and replacement with iron in accordance of DNR rules and guidance. We assume copper can be used for service lines but wanted to get clarification on the language. **DNR Answer: Replacement with iron pipe is listed as it is expected to be the lowest cost alternative for plastic water line replacement material. Therefore, for the purposes of this proposal assume you will be replacing plastic water line with iron pipe. However, the DNR recognizes that there may instances where copper is necessary or required, for instance it is required by local code. You may include a cost estimate for replacement of service lines with copper in the additional service details at the end of Task 6.**
46. In the insurance provisions, there is a statement that requires a separate professional liability policy for this contract. Our current coverage is per occurrence, and meets or exceeds the value of this contract's requirements. Is a separate professional liability policy still required? **DNR Answer: A separate professional liability policy is required in RFP Attachment 3, Contract General Conditions, Attachment C Insurance paragraph, C-3, page 17. It states, "Contractor shall procure and maintain a professional liability insurance policy that is specific to the project that is the subject of this contract. The insurance shall provide \$625,000 in coverage and a three-year extended discovery period following completion of the term of this contract." Reading paragraph C-1 together with C-3, the contractor can satisfy this requirement by obtaining a separate policy and providing a certificate of insurance referencing this contract or use an existing qualifying policy with an endorsement specifically referencing the terms and conditions of this contract.**

Submitted 8/12/2009:

47. Section 1.1 Purpose, page 4 – Are qualified firms available to win more than one award?
DNR Answer: The primary goal of the American Recovery and Reinvestment Act of 2009, which provides the funding for the Iowa LUST ARRA Project, is economic stimulus. To support this goal, the DNR intends to award four contracts to four separate qualified vendors.
48. Section 4.2.4, page 29 – The RFP requests Certified Groundwater Professionals (CGPs) to identify how many of each reports they have completed and their percent of first time acceptance. Many of the older CGPs have not tracked this. Has the IDNR been performing such tracking? If so, can this information (number of each report element and

% first acceptance) be sent to the Contract Individuals for the firms submitting their “Intent to Proposal” for each CGP working at the respective firm? **DNR Answer: See answer to question No. 12.**

49. Section 3.0.3, page 23, 24, 25 – What quantitation level is required for the reporting of laboratory results for EDB and 1,2-DCA for water and soil samples? The answer to this question could affect how the analyses for these two compounds would be performed, and therefore the cost. For example, if the required quantitation levels can be achieved with the GCMS version of Iowa OA-1 (SW-846 Method 8260), the cost would tend to be less than setting quantitation levels or regulatory action levels that would require a separate method for EDB (e.g., Method 8011) or 1,2-DCA. **DNR Answer: See answer to question No. 1.**
50. Section 3.0.3, page 25 – What are the concentrations of EDB and 1,2-DCA in water and soil requiring corrective action on the UST sites included in this RFP? **DNR Answer: See answer to question No. 19.**
51. Section 4.2.4, page 33, 34 – What soil gas compounds will be required for sites in this RFP, and what concentration limits or action levels will be applicable? For example, will Benzene and Toluene be the only compounds required for soil gas analysis, or will other compounds be added such as the oxygenates EDB and 1,2-DCA? What analytical methods will be required for measuring soil gas (for example, NIOSH 1501, or TO-15 with SUMMA canister?) **DNR Answer: See answer to question No. 21.**

Submitted 8/12/2009:

52. In Attachment 2, Section 7.3, will the 10% retainage be paid upon completion of a task, a phase, or only when the entire contract is completely finished. If the latter, is there a method to get the retainage paid for task/projects that last for an extended period of time (i.e. longer than 6 months) prior to the end of the contract? **DNR Answer: The specific terms and conditions of the retainage fee may be negotiated on a project by project basis including whether the retainage would include sub-contracted tasks/costs. It is anticipated the retainage fee would apply to payments associated with completion of major tasks or phases of the project (e.g., Tier 1, Tier 2, excavation) rather than when the entire contract is finished.**
53. In Attachment 2, Section 7.3, does the retainage apply to all of the vendor’s invoice or just the consultant’s labor portion? For example, is retainage withheld for subcontracted services such as excavations? **DNR Answer: The retainage fee can apply to all of the vendor’s budgeted costs including subcontracted services.**
54. In Attachment 2, Section 7.2 and Section 3.3, if the contract is extended, will the contract cap of \$625,000 be increased? **DNR Answer: No.**
55. RFP page 24, Section 3.0.3 Task 3 references that there will be no paving or pouring of concrete as part of this contract. If a soil excavation/replacement and/or tank removal is

conducted and no paving/pouring is completed, will Davis-Bacon prevailing wages apply? **DNR Answer: No. Please note Davis-Bacon prevailing wage requirement applies when the LUST project includes:**

(a) Installing piping to connect households or businesses to public water systems or replacing public water system supply well(s) and associated piping due to groundwater contamination,

(b) Soil excavation/replacement when undertaken in conjunction with the installation of public water lines/wells described above, or

(c) Soil excavation/replacement, tank removal, and restoring the area by paving or pouring concrete when the soil excavation/replacement occurs in conjunction with both tank removal and paving or concrete replacement.

56. In Section 3.0.2, Page 22: “If information is not available in the DNR files, the vendor will need to contact the current UST owner/operator, property owner, or conduct an on-site inspection of the site to determine the type and scope of site cleanup activities to be performed at the LUST site.” This task is not identified as a component of any of the bid tasks. How should the vendor account for the cost associates with this effort? **DNR Answer: See Task 1 on page 46. Costs for developing a site specific plan for LUST cleanup activities should be detailed in this section.**

57. What accuracy is required for GPS (lat/long) data? **DNR Answer: Same answer as for question No. 11.**

58. In Section 3.0.3, Task 3, Page 23: The first bullet point under the tank/piping removal heading states that local permits may need to be secured. Since fees associated with these permits can range widely in cost, can this item be identified on the cost proposal (Attachment 6) as a cost plus markup amount? If not, how should it be addressed? **DNR Answer: You may chose to include costs for permits in your tank closure cost estimate or you may detail the costs for permits as a separate service description at the end of the UST Closure section on page 49. As noted in the answer to question No. 7, if after the contract is signed, the contractor encounters a situation in which the site-specific budget for a particular item or activity is different (higher for example) than what the contractor has listed as a unit cost in their cost proposal, then the contractor should submit a change order with the site-specific budget and provide justification of why their unit costs have increased. DNR will review and approve/disapprove the change order.**

59. In Section 3.0.3, Task 8, Page 26: “Upon submittal of the signed contract, the contractor shall provide DNR with a schedule . . . “ Are the schedules submitted on a project/task specific basis? **DNR Answer: Yes.** Is the signed contract the one referenced in Attachment 3? Please clarify. **DNR Answer: The signed contract will consist of both RFP Attachment 2 Contract Special Conditions and RFP Attachment 3 Contract General Conditions.**

60. Do all items listed (i.e. Expertise of Personnel, Location, Equipment and Facilities, Experience and Reliability, etc) under Section 4.2.4 (pp.28-31) including the Content of Job Proposal Section count towards the 25 page limit for the proposal work plan or is the 25 pages for the work plan? **DNR Answer: The 25 pages pertain to the work plan only.**
61. What quantitation level will be required for the reporting of laboratory results for EDB and 1,2-DCA for water and soil samples? Will the IDNR identify acceptable analytical methods for these compounds? **DNR Answer: See answer to question No. 1.**
62. Will the IDNR identify concentrations of EDB and 1,2-DCA in water and soil requiring corrective action at the UST sites included in this RFP? **DNR Answer: See answer to question No. 19.**
63. What soil gas compounds will be required for sites in this RFP, and what concentrations limits or action levels will be applicable? For example, will Benzene and Toluene be the only compounds required for soil gas analysis, or will other compounds be added such as the oxygenates EDB and 1,2-DCA? **DNR Answer: See answer to question No. 21.**
64. Section 4.3, Subsection A, number 9 (pp. 33-34), what analytical methods will be required for measuring soil gas (for example, NIOSH 1501, or TO-15 with SUMMA canisters?) **DNR Answer: See answer to question No. 21.**

Submitted 8/13/2009:

65. **Task 3, Pages 23 and 24, 48**
Task 4, Pages 24 and 50
Task 5, Pages 25 and 51

“.....ship samples to an Iowa certified laboratory within 72 hours of collection and instruct the laboratory to analyze for chemicals of concern as specified in Chapter 135, IAC and also the following oxygenates: MTBE, ethylene dibromide (EDB), and 1, 2-dichloroethane (1, 2-DCA)”

Question: what quantitation level is required for the reporting of laboratory results for EDB and 1,2-DCA for water and soil samples? The answer to this question could affect how the analyses for these two compounds would be performed, and therefore the cost. For example, if the required quantitation levels can be achieved with the GCMS version of Iowa OA-1 (SW-846 Method 8260), the cost would tend to be less than setting quantitation levels or regulatory action levels that would require a separate method for EDB (e.g., Method 8011) or 1,2-DCA. **DNR Answer: See answer to question No. 1.**

66. **Task 6, Pages 25 and 53**

“Lab analysis shall include chemicals of concern as specified in Chapter 135, IAC and also the following oxygenates: MTBE, ethylene dibromide (EDB), and 1, 2-dichloroethane (1, 2-DCA).”

Question: What are the concentrations of EDB and 1,2-DCA in water and soil requiring corrective action on the UST sites included in this RFP? **DNR Answer:** See answer to question No. 19.

67. **Task 7, Pages 26 and 56**

“Complete site monitoring activities when appropriate in accordance with Chapter 567--135.8.”

“Conduct sample analyses and submit a Site Monitoring Report. Lab analysis shall include chemicals of concern as specified in Chapter 135, IAC and also the following oxygenates: MTBE, ethylene dibromide (EDB), and 1, 2-dichloroethane (1, 2-DCA).”

Question: What are the laboratory quantitation levels for EDB and 1,2-DCA in water that will be required for site monitoring on the UST sites included in this RFP? **DNR Answer:** See answer to question No. 1.

68. **9.) Soil Gas Costs, Pages 33 and 34**

“Includes all technical and supervisory staff and equipment and laboratory analysis necessary to properly obtain, evaluate and document soil gas levels followed by confirmation sampling at specific locations, including QA/QC, and shipping costs on a per sample basis. “

Questions: What soil gas compounds will be required for sites in this RFP, and what concentration limits or action levels will be applicable? For example, will Benzene and Toluene be the only compounds required for soil gas analysis, or will other compounds be added, such as the oxygenates EDB and 1,2-DCA? What analytical methods will be required for measuring soil gas (for example, NIOSH 1501, or TO-15 with SUMMA canisters?) **DNR Answer:** See answer to question No. 21.

Submitted 8/13/2009:

69. Will the IDNR make a version of the RFP document available in a format, such as Microsoft Word, where entries can be made electronically, particularly on the Cost Proposal Section? **DNR Answer: Yes. Please send a request for the RFP in Word Format to Karen.Anderson@dnr.iowa.gov** **DNR cautions vendors that format and language content should not be changed.**

70. The Iowa DOT maintains the list of DBEs that are certified in Iowa. In reviewing the current listing, we do not find a complete list of Iowa DBE firms that operate currently in

the state, the listing categories appear to be primarily involved in the highway industry, not environmental. **DNR Answer: All the firms appearing on the Iowa DOT website are federally certified DBEs. If you click on:**

http://www.iowadot.gov/contracts/contracts_eeoaa.htm

Scroll down until you see: **Directory**. Click on **Work Type**. Note: scroll down through the entire list. DNR found the following DBEs: **Excavation, 13 listed; Trucking, 21 listed, Environmental, 12 listed, Printing and Graphic Services (signs), 6 listed.**

We suspect that there are many DBE vendors in Iowa that have not been certified through IDOT because they do not routinely work with IDOT, and have not been asked to become certified until now. Furthermore, we understand from IDOT the certification process will take a minimum of 4-6 weeks to complete. Our questions are: Will a bidder be disqualified if he lists DBEs in his bid that are not IDOT certified at the time of proposal submittal or contract award, and will he be disqualified if a listed DBE candidate has begun the certification process and is making a good faith effort to become certified? **DNR Answer: The DBE does not have to be certified by the IDOT but must be federally certified. The DBE must have a completed federal certification by the date the proposal is submitted to the DNR.**

Please note the only requirement is that you document you have made a good faith effort to solicit bids from federally certified DBEs, if you are going to subcontract. We will check your written documentation to see if you have made good faith efforts to solicit bids. If you have made good faith efforts to solicit bids from federally certified DBEs but did not receive a favorable response from the DBEs (e.g., the DBEs you contacted were not interested or the DBE price was too high in comparison with prices from other subcontractors), you will not be disqualified. The DBE Good Faith Effort is not meant to be a quota.

You may get more information regarding EPA's DBE program at:

http://www.epa.gov/osdbu/dbe_team.htm

The assumption may be made that our presented, currently non-certified, DBEs have been listed as DBEs previously or have documentation of DBE status by a third party and are in the process of obtaining IDOT certification. **DNR Answer: DBEs must be federally certified at the time the proposal is submitted to DNR. DBEs do not have to be federally certified exclusively through IDOT.**